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Attorney for Defendant
NOEL BRAVO-SOSA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. 2:01-cr-00264-MCE
)	
Plaintiff,)	STIPULATED MOTION AND [lodged]
)	ORDER TO REDUCE SENTENCE PURSUANT
v.)	TO 18 U.S.C. § 3582(c)(2)
)	
NOEL BRAVO-SOSA,)	<u>RETROACTIVE CRACK COCAINE</u>
)	<u>REDUCTION CASE</u>
Defendant.)	
)	
)	

Defendant, NOEL BRAVO-SOSA, by and through his attorney, Assistant Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney Heiko Philipp Coppola, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o);

2. The sentencing range applicable to Mr. Bravo-Sosa was subsequently lowered by the United States Sentencing Commission in Amendment 706 by two levels;

3. Accordingly, Mr. Bravo-Sosa's offense level has been reduced from 34 to 32, and a sentence at the mandatory minimum would be 240 months;

4. Mr. Bravo-Sosa merits a reduction in his sentence based on the factors listed in 18 U.S.C. § 3553(a), as well as considerations of public safety and Mr. Bravo-Sosa's positive post-sentencing conduct;

5. Accordingly, the parties request the court to enter the order lodged herewith reducing Mr. Bravo-Sosa's term of imprisonment to an aggregate term of 240 months on all counts.

Dated: July 2, 2008

Respectfully submitted,

McGREGOR SCOTT
United States Attorney

DANIEL J. BRODERICK
Federal Defender

/s/ Heiko Philipp Coppola
HEIKO PHILIPP COPPOLA
Assistant U.S. Attorney

/s/ David M. Porter
DAVID M. PORTER
Assistant Federal Defender

Attorney for Plaintiff
UNITED STATES OF AMERICA

Attorney for Movant
NOEL BRAVO-SOSA

ORDER

This matter came before the Court on the stipulated motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

On September 16, 2003, this Court sentenced Mr. Bravo-Sosa to a term of imprisonment of 293 months. The parties agree, and the Court finds, that Mr. Bravo-Sosa is entitled to the benefit of the retroactive amendment reducing crack cocaine penalties, which reduces the applicable offense level from 34 to 32.


IT IS HEREBY ORDERED that the term of imprisonment originally imposed is reduced to an aggregate term of 240 months on all counts;

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1 IT IS FURTHER ORDERED that all other terms and provisions of the
2 original judgment remain in effect.

3 Unless otherwise ordered, Mr. Bravo-Sosa shall report to the
4 United States Probation office closest to the release destination
5 within seventy-two hours after his release.

6 Dated: July 25, 2008

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9 MORRISON C. ENGLAND, JR.
10 UNITED STATES DISTRICT JUDGE
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